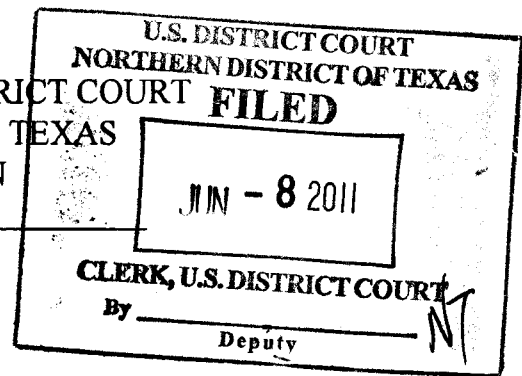


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ORIGINALIN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

BARRY MCCAFFERTY

§
§
§
§
§

No.

8. - 11CR - 161 - P

FACTUAL RESUME

Barry McCafferty, Jim Lane (the defendant's attorney), and the United States of America ("the government") agree to the law and facts as follows:

ELEMENTS OF THE OFFENSE**Count One**

Material False Statement to Federal Authorities
(Violation of 18 U.S.C. § 1001)

In order to prove the offense as alleged in Count One of the Information, the government must prove each of the following elements beyond a reasonable doubt:

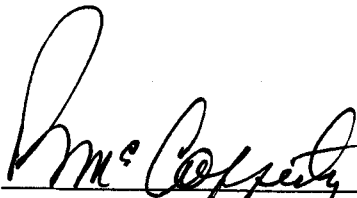
- First:* That the Defendant knowingly and willfully made a statement or representation;
- Second:* That was materially false, fictitious, or fraudulent;
- Third:* In any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States.

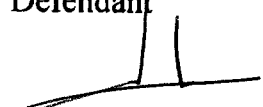
STIPULATED FACTS

The stipulated facts that support the defendant's plea of guilty to Count One of the Information are as follows: On or about September 29, 2010, in the Dallas Division of


the Northern District of Texas, Barry McCafferty, did knowingly and willfully make and cause to be made a materially false, fictitious, and fraudulent statement in a manner within the jurisdiction of the Department of Justice, a department of the United States, in that the defendant telephoned the Federal Bureau of Investigation ("F.B.I.") and stated that an employee of Schwob Building Company had distributed sensitive information regarding the U.S. military in Iraq to him, or words to that effect, when in fact McCafferty knew that no such information had been shared. McCafferty telephoned the F.B.I. and made the fraudulent statement against his previous supervisor at Schwob after concluding his employment with the company.

AGREED TO AND SIGNED this 3th day of June, 2011.


BARRY MCCAFFERTY
Defendant


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